

September 22, 1992

TO: Pam Grubaugh-Littig, Permit Supervisor (Coal Program)
FROM: Holland Shepherd, Senior Reclamation Specialist *HS*
RE: Permitting of the Factory Butte Shale Project,
S/055/006, Bob Shuppe and Dick Shumway, Wayne County,
Utah

Based on Mr. Shumway's last letter, dated July 23, 1992, I believe we now have all the information we originally asked for regarding the permitting status of the mine operation; and I recommend proceeding with the operator's request. The operator has asked to be exempt from the coal regulations. However, he would still be responsible to operate his site in accordance with the mineral's regulations.

I have attached our mineral's correspondence file, for your review. If there are still questions concerning the status of this site, I suggest we perform a joint inspection of the site prior to making a final decision concerning the permitting status.

If regulated under minerals the mine would operate under a Small Mine Operation's permit until a point in time when the operation expanded beyond the 5 acre limit, then it would operate under a Large Mine Operation's permit.

It seems quite probable to me that the disturbance at this site will remain at around 1 acre per year. However, to ensure that the site continue to meet the definition of an exempt (coal regulations) site, the coal program could send someone out to inspect it on a yearly basis.

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